

HOUSE BILL REPORT

ESSB 5098

As Reported by House Committee On:
Technology, Energy & Communications

Title: An act relating to energy efficiency.

Brief Description: Regulating the energy efficiency of certain products.

Sponsors: Senate Committee on Water, Energy & Environment (originally sponsored by Senators Poulsen, Morton, Franklin, Kline and Kohl-Welles; by request of Governor Locke).

Brief History:

Committee Activity:

Technology, Energy & Communications: 3/31/05 [DPA].

Brief Summary of Engrossed Substitute Bill
(As Amended by House Committee)

- Establishes minimum standards and testing procedures for 12 electrical products.

HOUSE COMMITTEE ON TECHNOLOGY, ENERGY & COMMUNICATIONS

Majority Report: Do pass as amended. Signed by 8 members: Representatives Morris, Chair; Kilmer, Vice Chair; Crouse, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Ericks, Hudgins, Takko and Wallace.

Minority Report: Do not pass. Signed by 2 members: Representatives Nixon and Sump.

Staff: Sarah Dylag (786-7109).

Background:

Two federal laws, and their accompanying regulations, govern energy efficiency standards for certain electrical products. The National Appliance Energy Conservation Act of 1987 specifies efficiency standards, testing procedures, and labeling requirements for certain residential appliances such as dishwashers, room air conditioners, and fluorescent-lamp ballasts. The Energy Policy Act of 1992 specifies similar requirements for certain types of industrial equipment such as electric motors, commercial water heaters, and commercial furnaces.

Washington has not adopted state efficiency standards for products not covered by federal law.

Summary of Amended Bill:

Energy Efficiency Standards

Minimum standards and testing procedures are established for 12 electrical products that are not covered by federal law. The efficiency standards apply to products sold, offered for sale, or installed in the state. The standards do not apply to: (1) products installed in mobile manufactured homes at the time of construction; and (2) products designed expressly for installation and use in recreational vehicles. The 12 electrical products are:

- *automatic commercial ice cube machines*, such as those found in motels and restaurants;
- *commercial clothes washers*, such as those found in apartments and coin laundries;
- *commercial pre-rinse spray valves*, such as those used in restaurants to remove food residue from plates prior to their cleaning;
- *commercial refrigerators and freezers*, such as those used in large institutional kitchens;
- *illuminated exit signs*, such as those used in public buildings to mark exit doors;
- *low-voltage dry-type distribution transformers*, which are devices that reduce electrical voltage and are often found in electrical closets of office buildings;
- *metal halide lamp fixtures*, such as those found on the high ceilings of industrial buildings and gymnasiums;
- *single-voltage external AC to DC power supplies*, such as the small boxes attached to power cords that allow battery-operated appliances to use power from electrical outlets;
- *incandescent reflector lamps*, such as the light bulbs that are typically used in "recessed can" lights;
- *torchieres*, which are portable lamps used to provide indirect lighting;
- *traffic signal modules*, which are used in street and highway traffic signals; and
- *commercial space heaters* that use natural gas or propane.

Tests and Inspections

With certain exceptions, all manufacturers of covered products must test and certify their products using specified tests, many of which have been developed by national testing bodies such as the Air-Conditioning and Refrigeration Institute and the American Society for Testing and Materials. Manufacturers of covered products must identify their products as in compliance with the state efficiency standards. The Department of Community, Trade, and Economic Development (CTED) must obtain the test methods in paper form and make them available for public use.

The CTED is authorized to test covered products. If a product fails its test, the CTED must inform the public of the test results and charge the manufacturer for the cost of purchasing and testing the product.

The CTED must investigate alleged violations of the standards. A manufacturer or distributor that repeatedly violates the standards is subject to a civil penalty of not more than \$250 per day.

Statutory updates

The CTED may recommend updates to the energy efficiency standards and test methods for the covered products. The CTED may also recommend establishing state standards for additional nonfederally covered products. Any recommendations shall be transmitted to the appropriate committees of the Legislature 60 days before the start of any regular legislative session.

Effective dates for selling covered products

New products, except commercial ice-makers and metal halide lamp fixtures, may not be sold on or after January 1, 2007, if they do not meet or exceed the specified standards. The effective date for new ice-makers and halide lamps is January 1, 2008.

Effective dates for installing covered products

New products, except commercial ice-makers and metal halide lamp fixtures, may not be installed for compensation on or after January 1, 2008, if they do not meet or exceed the specified standards. The effective date for new ice-makers and halide lamps is January 1, 2009.

Amended Bill Compared to Engrossed Substitute Bill:

The amended bill removes the water consumption factor contained within the efficiency standard for commercial clothes washers. The amended bill also removes the efficiency standard for digital television adapters.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: (In support) The overall concept of the bill is supported, but amending the bill to remove the standard for clothes washers should not be done in light of the drought in the region.

(In support with amendment) There is question about the water factor standard from this bill. If this standard is eliminated, the energy efficiency standard would be preserved and water utilities should work with landlords in their district on the issue. Even with the removal, there will still be savings by 2020 and in the first year would save approximately 300 million gallons of water.

There is also question about removing the standard for digital cable boxes. There is no reason to do that.

The efficiency standard for digital television adapters, which allow people with analog televisions to get digital broadcasts, should be removed from the bill. If the standard remains in the bill, consumers may choose to get rid of their televisions or buy new televisions, including plasma televisions, which may cause additional energy consumption issues.

Testimony Against: None.

Persons Testifying: (In support) Bill Laborde, Northwest Energy Coalition.

(In support with amendment) Tony Usibelli, Department of Community, Trade, and Economic Development; Charlie Brown and Frank Warnke, Advocates; Robert Pregelman, Washington Public Interest Research Group; and Melanie Stewart, Washington Association of Route Operators.

Persons Signed In To Testify But Not Testifying: None.